

EXHIBIT 5

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE)
ANTITRUST LITIGATION)
) No. 11-CV-2509-LHK
THIS DOCUMENT RELATES TO:)
ALL ACTIONS.)
_____)

CONFIDENTIAL - ATTORNEYS' EYES ONLY
VIDEO DEPOSITION OF PAMELA ZISSIMOS
November 13, 2012

REPORTED BY: GINA V. CARBONE, CSR NO. 8249, RPR, CCRR

01:12:51 1 preference that Pixar not hire folks directly out of
01:12:55 2 Apple corporate headquarters?

01:12:57 3 A. I had an understanding that we had a
01:12:59 4 no-poaching policy process that we did with Apple.

01:13:03 5 Q. But I'm asking about whether you know or you've
01:13:06 6 ever heard anybody talk about Steve Jobs' preference
01:13:10 7 that Pixar not hire folks directly out of Apple
01:13:13 8 corporate headquarters.

01:13:14 9 A. No, I can't speak for Steve Jobs' preference.

01:13:17 10 Q. I'm not asking you to speak for him. I'm
01:13:19 11 asking you to reflect on your own memories and your own
01:13:22 12 personal experience. Have you ever heard anybody say
01:13:24 13 this at Pixar, to the effect that Steve Jobs preferred
01:13:29 14 that Pixar not hire folks directly out of Apple
01:13:32 15 corporate headquarters?

01:13:34 16 A. No, I have not heard it like that. No.

01:13:38 17 Q. And then Karen Chelini responds --

01:13:43 18 A. Chelini.

01:13:45 19 Q. I'm sorry, Chelini. I have a line through the
01:13:46 20 N.

01:13:47 21 Who is Karen Chelini?

01:13:49 22 A. She was the talent manager at the time.

01:13:52 23 Q. Okay. And she says, "I'm certain we'd have to
01:13:55 24 go through the same protocol as with any Apple
01:13:59 25 employee."

01:13:59 1 Do you know what protocol she's referring to?

01:14:02 2 A. I don't know what she's referring to, no.

01:14:10 3 Q. Do you have an understanding of what Pixar's
01:14:14 4 protocol was with respect to Apple employees prior to
01:14:16 5 the DOJ investigation?

01:14:23 6 A. My understanding was in order for us to
01:14:26 7 consider an Apple employee as a candidate, we couldn't
01:14:34 8 make an offer without letting Steve Jobs know. And
01:14:42 9 that, to me, my understanding is that got more loose
01:14:50 10 once Disney bought us.

01:14:51 11 Q. Okay. Why would Disney's purchase of Pixar
01:15:01 12 affect Pixar's recruitment of Apple?

01:15:09 13 A. My understanding is that because Steve was more
01:15:19 14 on the Disney board, but still involved with Pixar, but
01:15:24 15 it -- because of -- because of him not being at Pixar as
01:15:29 16 regularly as he was, it just loosened the -- the
01:15:39 17 strictness that it was on -- that was on it.

01:15:42 18 Q. How did the protocol change once Disney
01:15:45 19 purchased Pixar?

01:15:47 20 A. I don't know it necessarily changed. It was
01:15:49 21 just my acknowledgment that it seems not as --

01:15:55 22 Q. That it wasn't enforced as strictly? Is that
01:15:58 23 fair to say?

01:15:59 24 A. Yes.

01:16:00 25 Q. Okay. And then if you go up one in time, Lori

01:16:10 1 McAdams responds and says, "I chatted with Greg, and he
01:16:13 2 and I agree that it should be okay for us to hire from
01:16:16 3 the retail outlets. HOWEVER," in all caps, "we should
01:16:22 4 talk with Ed first to make sure he agrees and/or clears
01:16:26 5 it with Steve."

01:16:29 6 She's talking about Ed Catmull, correct?

01:16:34 7 A. Yes.

01:16:35 8 Q. And Steve here is Steve Jobs?

01:16:37 9 A. I don't know.

01:16:38 10 Q. Okay. You can put that to the side.

01:17:00 11 This document is being introduced as
01:17:02 12 Plaintiffs' Exhibit 369 and it's Bates stamped
01:17:04 13 Pixar 3599.

01:17:17 14 (Whereupon, Exhibit 369 was marked for
01:17:17 15 identification.)

01:17:19 16 MR. HARVEY: Q. And as before, this was in
01:17:20 17 2005 before you worked at Pixar.

01:17:22 18 A. Okay.

01:17:22 19 Q. But just let me know once you've had a chance
01:17:24 20 to look at it.

01:17:26 21 A. Okay.

01:18:15 22 Okay.

01:18:18 23 Q. Do you know who Howard Look is?

01:18:20 24 A. Yes.

01:18:21 25 Q. Who is he?

1 I, Gina V. Carbone, Certified Shorthand
2 Reporter licensed in the State of California, License
3 No. 8249, hereby certify that the deponent was by me
4 first duly sworn and the foregoing testimony was
5 reported by me and was thereafter transcribed with
6 computer-aided transcription; that the foregoing is a
7 full, complete, and true record of said proceedings.

8 I further certify that I am not of counsel or
9 attorney for either of any of the parties in the
10 foregoing proceeding and caption named or in any way
11 interested in the outcome of the cause in said caption.

12 The dismantling, unsealing, or unbinding of
13 the original transcript will render the reporter's
14 certificates null and void.

15 In witness whereof, I have hereunto set my
16 hand this day: November 26, 2012.

17 ___X___ Reading and Signing was requested.

18 _____ Reading and Signing was waived.

19 _____ Reading and signing was not requested.

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GINA V. CARBONE

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